

COUNTY COUNCIL
OF
HARFORD COUNTY, MARYLAND

BILL NO. 90-76

Introduced by Council President Wilson
at the request of the County Executive
Legislative Day No. 90-27 Date September 4, 1990

AN ACT to repeal in its entirety Chapter 64, heading, Animals, and to re-enact new Chapter 64, heading, Animals, with amendments, all of the Harford County Code, as amended; to provide for appropriate care, licensing, maintenance and protection of animals, to provide standards for pet shops, and to provide penalties for violation of this Chapter; and generally relating to animals.

By the Council, September 4, 1990
Introduced, read first time, ordered posted and public hearing scheduled
on: October 9, 1990
at: 7:00 P.M.
By Order: Doris Poulsen, Secretary

PUBLIC HEARING

Having been posted and notice of time and place of hearing and title of Bill having been published according to the Charter, a public hearing was held on October 9, 1990, and concluded on, October 9, 1990

Doris Poulsen, Secretary

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. [Brackets] indicate matter deleted from existing law. Underlining indicates language added to Bill by amendment. Language lined through indicates matter stricken out of Bill by amendment.

Section 1. Be It Enacted By The County Council of Harford County, Maryland, that Chapter 64, heading, Animals, be, and it is hereby repealed and new Chapter 64, heading, Animals, be, and it is hereby re-enacted, with amendments, all to read as follows:

CHAPTER 64. ANIMALS.

ARTICLE I. GENERAL.

SECTION 64-1. DEFINITIONS.

FOR THE PURPOSES OF THIS CHAPTER, THE FOLLOWING WORDS AND PHRASES SHALL HAVE THE FOLLOWING MEANINGS:

AGENT OF THE HUMANE SOCIETY: THE DIRECTOR OF THE HUMANE SOCIETY OF HARFORD COUNTY, INC., AND ANY DESIGNEE OF THE DIRECTOR.

ANIMAL: ANY LIVING, NON-HUMAN VERTEBRATE CREATURE.

ANIMAL ABANDONMENT: DISPOSAL OF ANY ANIMAL IN A MANNER NOT ALLOWED BY LAW.

ANIMAL CONTROL ADVISORY COMMISSION: THE DULY APPOINTED ANIMAL CONTROL ADVISORY COMMISSION OF THE COUNTY.

ANIMAL CONTROL WARDEN: THE PERSON EMPLOYED OR DESIGNATED BY THE COUNTY AS ITS ENFORCEMENT OFFICER AND WHO IS SUBJECT TO THE SUPERVISION OF THE DIRECTOR OF THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS.

ANIMAL SHELTER OR ANIMAL POUND: ANY PREMISES SO DESIGNATED BY THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS FOR THE PURPOSES OF IMPOUNDING AND CARING FOR ANIMALS FOUND RUNNING AT LARGE OR IN VIOLATION OF THIS CHAPTER.

DOG AT LARGE: ANY DOG WILL BE DEEMED TO BE "AT LARGE" WHEN IT IS UPON THE PROPERTY OF A PERSON OTHER THAN THE OWNER OR WITHIN THE TRAVELED PORTION OF ANY PUBLIC ROAD AND NOT LEASHED OR UNDER THE CONTROL OF THE OWNER AND OBEDIENT TO THE OWNER'S COMMAND.

1 **DEPARTMENT:** THE DEPARTMENT OF INSPECTIONS, LICENSES AND PERMITS.

2 ~~**DOG FANCIER:** ANY PERSON WHO OWNS OR HARBORS WITHIN OR ADJOINING~~
3 ~~A PRIVATE RESIDENCE THREE OR MORE DOGS FOR THE NON-COMMERCIAL PURPOSES~~
4 ~~OF HUNTING, PRIVATE TRACKING OR EXHIBITION IN SHOWS OR FIELD TRAILS,~~
5 ~~THAT MAY OCCASIONALLY BREED AND SELL AS A HOBBY AND/OR TO IMPROVE A~~
6 ~~REGISTERED BREED.~~

7 **SUSPECTED RABID ANIMAL:** AN ANIMAL SHALL BE CONSIDERED "RABID"
8 IF IT HAS BEEN BITTEN BY, OR EXPOSED TO ANY ANIMAL INFECTED WITH THE
9 RABIES VIRUS.

10 ~~**KENNEL:** ANY ESTABLISHMENT, NOT PART OF AN AGRICULTURAL USE, IN~~
11 ~~WHICH SIX (6) OR MORE DOMESTIC ANIMALS SUCH AS CATS, DOGS AND OTHER~~
12 ~~PETS, MORE THAN SIX (6) MONTHS OLD ARE KEPT, GROOMED, BRED, BOARDED,~~
13 ~~TRAINED OR SOLD.~~

14 **OWNER:** ANY PERSON OWNING, KEEPING, HARBORING, OR ACTING AS
15 CUSTODIAN OF A ~~DOMESTICATED~~ AN ANIMAL. ANY ANIMAL OWNED BY A MINOR
16 SHALL BE DEEMED TO BE OWNED FOR THE PURPOSES OF THIS SECTION BY THE
17 PARENTS OR GUARDIANS WITH WHOM THE MINOR RESIDES.

18 **PET SHOP:** A BUSINESS ESTABLISHMENT THAT SELLS AND/OR OFFERS TO
19 SELL ANIMALS, WHETHER AS AN OWNER, OR AN AGENT OF THE OWNER, TO THE
20 GENERAL PUBLIC. HORSE FARMS LICENSED BY THE STATE SHALL NOT BE
21 CONSIDERED PET SHOPS.

22 **SHERIFF:** THE SHERIFF OF HARFORD COUNTY, HIS DEPUTIES OR DESIGNEE.

23 **VICIOUS OR DANGEROUS ANIMAL:** ANY ANIMAL THAT MAY POSE A PHYSICAL
24 THREAT TO HUMAN BEINGS, ANIMALS OR LIVESTOCK BY VIRTUE OF SPECIFIC
25 TRAINING OR DEMONSTRATED PROPENSITIES OR BEHAVIOR; ANY ANIMAL WHICH
26 WITHOUT PROVOCATION HAS BITTEN OR ATTACKED A HUMAN BEING OR OTHER

ANIMAL OR LIVESTOCK SHALL BE PRESUMED TO BE VICIOUS.

SECTION 64-2. EXEMPTIONS.

~~GUIDE DOGS FOR THE BLIND AND DEAF, DOGS USED BY LAW ENFORCEMENT OFFICERS AND AGENTS OF THE HUMANE SOCIETY OF HARFORD COUNTY, INC. ARE EXEMPTED FROM THE PROVISIONS OF THESE CHAPTERS, EXCEPT FOR LICENSING.~~

THE DEPARTMENT SHALL ISSUE LICENSES FOR THE FOLLOWING TYPES OF DOGS WITHOUT THE PAYMENT OF ANY FEE:

(a) A DOG PROFESSIONALLY TRAINED TO AID THE BLIND, VISUALLY HANDICAPPED, DEAF, HEARING IMPAIRED, OR MOBILITY IMPAIRED;

(b) A DOG USED BY A LAW ENFORCEMENT AGENCY; OR

(c) A DOG USED BY AN OFFICER OF THE HUMANE SOCIETY OF HARFORD COUNTY, INC.

ARTICLE II. LICENSING.

SECTION 64-3. TERM OF LICENSE.

(a) A LICENSE SHALL BE REQUIRED FOR ALL DOGS SIX MONTHS OF AGE AND OLDER. WRITTEN APPLICATION FOR SUCH LICENSE SHALL BE FILED WITH THE DEPARTMENT. THE APPLICATION SHALL STATE THE NAME AND ADDRESS OF THE OWNER AND THE NAME, BREED, COLOR, AGE, SEX AND RABIES INOCULATION STATUS OF THE DOG. THE LICENSE FEE AS ESTABLISHED BY LAW SHALL BE PAID AT THE TIME OF MAKING APPLICATION; THEREUPON A LICENSE AND A NUMBERED LICENSE TAG SHALL BE ISSUED TO THE APPLICANT.

(b) ALL DOG LICENSES, ~~DOG FANCIER LICENSES,~~ KENNEL LICENSES AND PET SHOP LICENSES SHALL BE ISSUED FOR ONE YEAR BEGINNING WITH THE FIRST DAY OF JULY. LICENSES ISSUED AFTER AUGUST 15, SHALL BE SUBJECT TO A 50% SURCHARGE, WITH THE EXCEPTION OF DOGS REACHING THE AGE OF SIX MONTHS AFTER JULY 1, AND DOGS NEWLY ARRIVED IN THE COUNTY, WHICH DOGS

1 SHALL BE LICENSED WITHIN 30 DAYS AFTER THE ATTAINMENT OF SIX MONTHS
2 OF AGE OR ARRIVAL IN THE COUNTY.

3 **SECTION 64-4. LICENSE FEES.**

4 DOGS: FEES MAY BE ESTABLISHED AS SET FORTH IN CHAPTER 157,
5 SECTION 157-24 OF THE HARFORD COUNTY CODE FOR STERILIZED AND
6 UNSTERILIZED DOGS, DOGS OWNED BY SENIOR CITIZENS, DOG FANCIER'S FEES,
7 KENNEL FEES, PET SHOP FEES, TRANSFER FEES GUIDE DOG FEES, POLICE DOG
8 FEES, AND VETERINARY HOSPITAL FEES.

9 **SECTION 64-5. LICENSE TAGS.**

10 (a) THE COUNTY SHALL ANNUALLY ISSUE LICENSE TAGS TO THE OWNERS
11 OF DOGS WHEN THE OWNERS PRESENT PROOF OF CURRENT RABIES VACCINATION AND
12 PAY THE LICENSE FEES. THE LICENSE TAGS SHALL BE MADE OF METAL AND
13 SHALL NOT BE MORE THAN ONE INCH IN LENGTH, AND THEY SHALL HAVE THE
14 SERIAL NUMBERS CORRESPONDING WITH THE NUMBERS ON THE LICENSE. THE
15 GENERAL SHAPE OF THE LICENSE TAG SHALL BE CHANGED FROM YEAR TO YEAR,
16 AND THE LICENSE TAGS FURNISHED TO KENNEL OWNERS SHALL HAVE THE WORD
17 "KENNEL" NOTED THEREUPON, AND EACH KENNEL LICENSE HOLDER SHALL BE
18 ENTITLED TO TEN IDENTICAL TAGS. IF ANY TAG IS LOST, IT SHALL BE
19 REPLACED BY THE COUNTY UPON APPLICATION BY THE PERSON TO WHOM THE TAG
20 WAS ISSUED UPON PRODUCTION OF A LICENSE AND A FEE ESTABLISHED BY LAW.
21 THE OWNERS OF THE KENNEL LICENSES SHALL USE THEIR ISSUED TAGS ONLY UPON
22 DOGS OWNED BY THEM.

23 (b) LICENSE TAGS SHALL BE WORN BY DOGS AT ALL TIMES.

24 **SECTION 64-6. NONRESIDENTS.**

25 THE LICENSING REQUIREMENTS OF THIS CHAPTER SHALL NOT APPLY TO ANY
26 DOG BELONGING TO A NONRESIDENT OF THE COUNTY AND KEPT WITHIN THE

1 BOUNDARIES OF THE COUNTY FOR NOT LONGER THAN THIRTY DAYS.

2 **ARTICLE III. ANIMAL CONTROL**

3 **SECTION 64-7. DOGS AT LARGE.**

4 NO OWNER OF ANY DOG SHALL PERMIT IT TO BE AT LARGE.

5 **SECTION 64-8. IMPOUNDMENT GENERALLY.**

6 (a) DOGS NOT WEARING A CURRENT HARFORD COUNTY LICENSE TAG FOUND
7 AT LARGE SHALL BE TAKEN TO THE HUMANE SOCIETY OF THE COUNTY OR SUCH
8 OTHER APPROPRIATE PLACE AS MAY BE DESIGNATED BY THE DEPARTMENT AND
9 CONFINED IN A HUMANE MANNER FOR A PERIOD OF NOT LESS THAN NINETY-SIX
10 HOURS, EXCLUDING SUNDAYS AND COUNTY HOLIDAYS. THEREAFTER, THE DOGS
11 BECOME THE PROPERTY OF THE COUNTY OR ITS AGENT AND SHALL BE DISPOSED
12 OF BY RETURN TO THEIR OWNER, ADOPTION OR EUTHANASIA.

13 (b) DOGS WEARING A CURRENT HARFORD COUNTY LICENSE TAG AND FOUND
14 AT LARGE SHALL BE TAKEN TO THE HUMANE SOCIETY OF THE COUNTY OR SUCH
15 OTHER APPROPRIATE PLACE AS MAY BE DESIGNATED BY THE DEPARTMENT, AND
16 CONFINED IN A HUMANE MANNER FOR A PERIOD OF NOT LESS THAN ONE HUNDRED
17 NINETY-TWO HOURS, EXCLUDING SUNDAYS AND HOLIDAYS. THE OWNER OF THE
18 LICENSED DOG SHALL BE NOTIFIED OF THE IMPOUNDMENT BY THE COUNTY OR ITS
19 AGENT BY CERTIFIED MAIL TO THE ADDRESS OF THE OWNER INDICATED UPON THE
20 LICENSE APPLICATION. THE NOTICE SHALL BE SENT WITHIN SEVENTY TWO HOURS
21 OF THE IMPOUNDMENT AND SHALL GIVE THE OWNER ~~SEVENTY-TWO~~ 120 HOURS FROM
22 THE DATE OF THE NOTICE IN WHICH TO REDEEM THE DOG. THEREAFTER, THE DOG
23 BECOMES THE PROPERTY OF THE COUNTY OR ITS AGENT AND SHALL BE
24 DISPOSED OF BY RETURN TO ITS OWNER, ADOPTION OR EUTHANASIA.

25 (c) WHEN DOGS ARE FOUND AT LARGE AND THEIR OWNERSHIP IS KNOWN TO
26 THE ANIMAL CONTROL WARDEN, SUCH DOGS MAY, AT THE DISCRETION OF THE

1 ANIMAL CONTROL WARDEN, BE RETURNED TO THE OWNER, WHO SHALL ALSO BE
2 SERVED A VIOLATION NOTICE.

3 **SECTION 64-9. REDEMPTION OF IMPOUNDED DOGS.**

4 (a) THE OWNER SHALL BE ENTITLED TO RESUME POSSESSION OF ANY
5 IMPOUNDED DOG UPON COMPLIANCE WITH THE LICENSE PROVISIONS OF THIS
6 CHAPTER, AND THE PAYMENT OF THE FEES SET FORTH IN CHAPTER 157, SECTION
7 157-24 OF THE HARFORD COUNTY CODE, AS AMENDED.

8 (b) THE CLAIMANT SHALL ESTABLISH SATISFACTORY PROOF OF OWNERSHIP
9 WHICH SHALL INCLUDE THE LICENSE RECEIPT, AFFIDAVITS OF NEIGHBORS, A
10 PHOTOGRAPH, OR OTHER APPROPRIATE IDENTIFICATION.

11 **SECTION 64-10. IMPOUNDMENT FEES.**

12 ANY ANIMAL IMPOUNDED UNDER THIS ARTICLE MAY BE RECLAIMED AS HEREIN
13 PROVIDED UPON PAYMENT TO THE COUNTY, BY THE OWNER, THE SUM OF TEN
14 DOLLARS. AN ADDITIONAL CARE CHARGE OF FIVE DOLLARS FOR EACH CALENDAR
15 DAY OR PORTION THEREOF, DURING WHICH THE DOG WAS IMPOUNDED, SHALL
16 BE ADDED TO THE IMPOUNDMENT FEE.

17 **SECTION 64-11. CONFINEMENT AND DESTRUCTION OF CERTAIN ~~DOGS~~ ANIMALS.**

18 A. THE OWNER OF ANY FEMALE DOG IN ESTRUS, OR AS COMMONLY KNOWN,
19 IN HEAT, SHALL KEEP THE DOG CONFINED IN A CLOSED BUILDING EQUIPPED WITH
20 ADEQUATE FLOORING SUCH AS A TIGHT WOODEN OR CONCRETE FLOOR TO PREVENT
21 CONTACT WITH ANOTHER DOG EXCLUDING INTENTIONAL BREEDING PURPOSES.

22 B. WHEN IN THE JUDGMENT OF THE DIRECTOR OF THE DEPARTMENT, THE
23 SHERIFF, THE DIRECTOR OF THE HUMANE SOCIETY OF HARFORD COUNTY, INC.,
24 OR THEIR DESIGNEES, OR A DULY LICENSED VETERINARIAN, AN ANIMAL SHOULD
25 BE DESTROYED FOR HUMANE REASONS OR BECAUSE OF ITS VICIOUS AND DANGEROUS
26 PROPENSITIES, ~~SUCH-DOG~~ THE ANIMAL MAY BE DESTROYED IMMEDIATELY WITHOUT

1 REGARD TO ANY RESTRICTION OR HOLDING PERIOD OTHERWISE ESTABLISHED
2 HEREIN.

3 **SECTION 64-12. DOGS CONSTITUTING NUISANCE**

4 IT IS UNLAWFUL FOR ANY PERSON TO OWN OR HARBOR A DOG WHICH
5 DISTURBS THE PEACE AND QUIET OF ANY NEIGHBORHOOD OR WHICH IS VICIOUS
6 AND A DANGER TO ANY PERSON. UPON THE SWORN COMPLAINT OF ANY PERSON
7 BEFORE THE DISTRICT COURT OF MARYLAND FOR HARFORD COUNTY ALLEGING THAT
8 A DOG DISTURBS THE PEACE AND QUIET OF ANY NEIGHBORHOOD IN ANY AREA
9 OF THE COUNTY, OR ON THE SWORN COMPLAINT OF ANY PERSON THAT A DOG IS
10 VICIOUS AND A DANGER TO ANY PERSON, A SUMMONS SHALL BE ISSUED TO THE
11 OWNER OR KEEPER OF SUCH DOG TO APPEAR BEFORE THE DISTRICT COURT. UPON
12 PROOF THAT THE DOG DISTURBS THE PEACE AND QUIET OF ANY NEIGHBORHOOD OR
13 IS VICIOUS AND A DANGER TO ANY PERSON, THE OWNER OR KEEPER SHALL BE
14 REQUIRED TO SURRENDER THE OFFENDING DOG TO BE DESTROYED IN A HUMANE
15 MANNER, UNLESS HE/SHE REMOVES THE DOG PERMANENTLY FROM THE NEIGHBORHOOD
16 OR REACHES AN AGREEMENT WITH THE COMPLAINANT. IF THE OWNER OR KEEPER
17 IS REQUIRED TO DELIVER UP THE DOG TO BE DISPOSED OF OR TO REMOVE IT AS
18 AFORESAID AND HE/SHE REFUSES OR FAILS TO DO SO, IT IS THE DUTY OF THE
19 SHERIFF OR OTHER APPROPRIATE LAW ENFORCEMENT AUTHORITY OF THE COUNTY
20 AND ANIMAL CONTROL WARDEN TO SEIZE THE DOG WHEREVER IT MAY BE FOUND AND
21 TO CAUSE IT TO BE DISPOSED OF IN A HUMANE MANNER.

22 **SECTION 64-13. RABIES GENERALLY.**

23 WHEN ANY DOG OR OTHER ANIMAL HAVING RABIES, OR IS SUSPECTED OF
24 HAVING RABIES, HAS ATTACKED A PERSON, SUCH FACT SHALL BE IMMEDIATELY
25 REPORTED TO THE COUNTY HEALTH DEPARTMENT, AND THE ANIMAL SHALL NOT BE
26 DESTROYED, BUT SHALL BE CONFINED AS ORDERED BY THE COUNTY HEALTH

1 OFFICER OR THE DIRECTOR OF THE DEPARTMENT. THE OWNER OF THE ANIMAL MAY
2 BE OFFERED THE OPTION OF OWNER CONFINEMENT, IMPOUNDMENT OR EUTHANASIA.
3 IF IN THE OPINION OF THE COUNTY HEALTH OFFICER, THE DIRECTOR OF THE
4 DEPARTMENT, OR THE ANIMAL CONTROL WARDEN, THE ANIMAL IS NOT BEING
5 PROPERLY IMPOUNDED, THE ANIMAL MAY BE IMPOUNDED BY THE ANIMAL CONTROL
6 WARDEN AND PLACED IN SUITABLE CONTAINMENT FOR THE NECESSARY PERIOD.
7 ALL COSTS AND EXPENSES OF SUCH CONTAINMENT SHALL BE CHARGED TO THE
8 OWNER OF THE ANIMAL. IF THE ANIMAL DIES OR HAS BEEN DESTROYED DURING
9 THE CONTAINMENT PERIOD, THE ANIMAL'S REMAINS SHALL BE SENT IMMEDIATELY
10 TO THE COUNTY HEALTH DEPARTMENT FOR RABIES TESTING. THE LOCAL POLICE
11 DEPARTMENT, THE SHERIFF, OR THE ANIMAL CONTROL WARDENS SHALL ENFORCE
12 PURSUANT TO MEMORANDUM OF UNDERSTANDING ALL ORDERS OF THE COUNTY HEALTH
13 OFFICER, THE DIRECTOR OF THE DEPARTMENT, THE CHIEF OF ANIMAL CONTROL,
14 AND ALL OTHER PROVISIONS OF THIS SECTION.

15 **SECTION 64-14. REPORT OF BITE CASES.**

16 IT SHALL BE THE DUTY OF EVERY PHYSICIAN, MEDICAL PRACTITIONER AND
17 HOSPITAL TO REPORT TO THE COUNTY HEALTH DEPARTMENT THE NAMES AND
18 ADDRESSES OF PERSONS TREATED FOR BITES INFLICTED BY DOGS OR OTHER
19 ANIMALS, TOGETHER WITH ANY INFORMATION AS TO WHICH WILL BE HELPFUL IN
20 RABIES CONTROL WITHIN TWENTY-FOUR (24) HOURS OF EACH INCIDENT.

21 **SECTION 64-15. RESPONSIBILITIES OF VETERINARIANS AND COUNTY RESIDENTS**
22 **REGARDING RABID ANIMALS.**

23 IT SHALL BE THE DUTY OF EVERY VETERINARIAN AND EVERY RESIDENT OF
24 THE COUNTY TO REPORT TO THE COUNTY HEALTH DEPARTMENT ANY ANIMAL
25 CONSIDERED TO BE RABID OR TO BE A RABIES SUSPECT. IT SHALL BE THE
26 RESPONSIBILITY OF THE HEALTH DEPARTMENT TO FORWARD THIS REPORTED

1 INFORMATION TO THE DIRECTOR OF THE HUMANE SOCIETY AND TO THE CHIEF OF
2 ANIMAL CONTROL FOR THOSE ANIMALS THAT THE HUMANE SOCIETY OR ANIMAL
3 CONTROL HAVE HAD INVOLVEMENT WITH AS TO THE SUSPICION OF RABIES.

4 **SECTION 64-16. INTERFERENCE WITH ENFORCEMENT OFFICERS.**

5 NO PERSON SHALL INTERFERE WITH, HINDER OR MOLEST ANY APPROPRIATELY
6 AUTHORIZED LAW ENFORCEMENT AGENCY OF THE COUNTY OR THE ANIMAL CONTROL
7 WARDENS IN THE PERFORMANCE OF THEIR DUTIES, OR SEEK TO RELEASE ANY
8 ANIMAL IN THEIR CUSTODY EXCEPT AS HEREIN PROVIDED.

9 **SECTION 64-17. RECORDS.**

10 IT SHALL BE THE DUTY OF THE DEPARTMENT OR ITS AGENT AND THE HUMANE
11 SOCIETY OF HARFORD COUNTY, INC. OR ITS AGENT TO KEEP, OR CAUSE TO BE
12 KEPT, ACCURATE AND DETAILED RECORDS OF IMPOUNDMENT AND DISPOSITION OF
13 ALL ~~DOGS~~ ANIMALS COMING UNDER ITS CONTROL. THESE RECORDS SHALL BE
14 MAINTAINED AT THE HUMANE SOCIETY OF HARFORD COUNTY, INC.

15 **ARTICLE IV. ANIMAL CARE, ABUSE, CRUELTY.**

16 **SECTION 64-18. ABUSE OF ANIMALS.**

17 (a) NO PERSON SHALL OVERDRIVE, OVERLOAD, DEPRIVE OF NECESSARY
18 SUSTENANCE, TORTURE, CRUELLY BEAT, MUTILATE OR CRUELLY KILL; NOR
19 CAUSE, PROCURE, OR AUTHORIZE THESE ACTS; NOR, HAVING THE CHARGE OR
20 CUSTODY OF THE ANIMAL, EITHER AS OWNER OR OTHERWISE, INFLICT
21 UNNECESSARY SUFFERING OR PAIN UPON THE ANIMAL, OR UNNECESSARILY FAIL
22 TO PROVIDE THE ANIMAL WITH NUTRITIOUS FOOD IN SUFFICIENT QUANTITIES,
23 NECESSARY VETERINARY CARE, PROPER DRINK, AIR, SPACE, SHELTER OR
24 PROTECTION FROM THE WEATHER.

25 (b) NO ONE WITHIN THE BOUNDARIES OF HARFORD COUNTY MAY OWN,
26 KEEP OR USE ANY DOG, COCK OR OTHER ANIMAL FOR THE PURPOSE OF FIGHTING,

1 BAITING OR SERVING AS A TARGET. NO PERSON MAY KNOWINGLY PERMIT ANY
2 BUILDING, SHED, ROOM, YARD OR OTHER PREMISES TO BE USED FOR THE PURPOSE
3 OF EXHIBITING OR HOUSING THE FIGHTING, BAITING OR USE AS A TARGET ANY
4 DOG, COCK OR OTHER ANIMAL. NO PERSON SHALL ATTEND ANY EXHIBITION OF
5 DOGS, COCKS OR OTHER ANIMALS FOR THE PURPOSE OF FIGHTING, BAITING OR
6 SERVING AS A TARGET, NOR SHALL SUCH PERSON KNOWINGLY BE PRESENT AT SUCH
7 TIME AS PREPARATIONS ARE MADE FOR SUCH AN EXHIBITION. ALL ANIMALS,
8 EQUIPMENT, DEVICES AND MONEY INVOLVED IN A VIOLATION OF THIS ARTICLE
9 SHALL BE FORFEITED TO THE COUNTY.

10 THE SHERIFF HAS THE RESPONSIBILITY FOR RECORDING INFORMATION FOR
11 PURPOSES OF SURVEILLANCE, AND CONDUCT AN INVESTIGATION WHEN DETERMINED
12 TO BE APPROPRIATE WITH REGARD TO ENFORCEMENT OF THIS ARTICLE. THE
13 ANIMAL CONTROL WARDEN, AT THE REQUEST OF THE SHERIFF SHALL IMPOUND
14 ANIMALS AFTER A RAID.

15 **SECTION 64-19. ABANDONMENT OF ANIMALS.**

16 NO PERSON SHALL ABANDON ANY ANIMAL ON PROPERTY WITHIN THE
17 BOUNDARIES OF HARFORD COUNTY.

18 **SECTION 64-20. ANIMALS IN VEHICLES.**

19 NO PERSON SHALL LEAVE ANY ANIMAL UNATTENDED IN A MOTOR VEHICLE
20 WHEN THE TEMPERATURE OUTSIDE EXCEEDS EIGHTY DEGREES FAHRENHEIT EXCEPT
21 AN ANIMAL CONTROL WARDEN, CONTRACTUAL AGENT OF ANIMAL CONTROL, OR A
22 STATE OR LOCAL POLICE K-9 OFFICER WHO IS ESPECIALLY EQUIPPED WITH A
23 VEHICLE THAT IS USED FOR ANIMAL TRANSPORT.

24 ANY ANIMAL CONTROL WARDEN, LAW ENFORCEMENT OFFICER OR AGENT OF THE
25 HUMANE SOCIETY OF HARFORD COUNTY, INC. WHO DETERMINES THAT AN ANIMAL
26 HAS BEEN LEFT IN A MOTOR VEHICLE IN VIOLATION OF THIS ARTICLE SHALL

AS AMENDED

1 HAVE THE RIGHT TO TAKE SUCH REASONABLE STEPS TO FREE THE ANIMAL FROM
2 THE VEHICLE AS HE DEEMS NECESSARY TO PROTECT THE ANIMAL FROM SERIOUS
3 INJURY OR DEATH.

4 **SECTION 64-21. SALE OF POULTRY OR RABBITS.**

5 POULTRY OR RABBITS LESS THAN EIGHT WEEKS OF AGE MAY NOT BE SOLD
6 IN QUANTITIES OF LESS THAN TWENTY-FIVE PER PURCHASER.

7 **SECTION 64-22. CONTROL OF DOG WASTE AND OTHER NUISANCE.**

8 (a) NO OWNER OF A DOG SHALL ALLOW IT TO SOIL, DEFILE, DEFECATE
9 UPON OR COMMIT ANY OTHER NUISANCE UPON ANY PUBLIC PROPERTY OR UPON
10 PRIVATE PROPERTY.

11 (b) THE OWNER MUST TAKE IMMEDIATE STEPS TO ELIMINATE ANY SUCH
12 NUISANCE, INCLUDING FECES CAUSED BY THE DOG, IN AN APPROPRIATE AND
13 SANITARY MANNER.

14 **SECTION 64-23. ANIMALS AS PRIZES.**

15 NO PERSON SHALL GIVE AWAY ANY LIVE ANIMAL, FISH, AMPHIBIAN,
16 REPTILE OR BIRD AS A PRIZE, OR AS AN INDUCEMENT TO ENTER INTO ANY
17 BUSINESS AGREEMENT WHEREBY THE OFFER WAS FOR THE PURPOSE OF ATTRACTING
18 TRADE.

19 **SECTION 64-24. CARE OF SHELTERED DOGS AND CATS.**

20 ANY DOG OR CAT WHICH IS KEPT OUTSIDE OR IN AN UNHEATED ENCLOSURE
21 SHALL BE PROVIDED WITH:

22 (a) A MOISTURE-PROOF STRUCTURE, MADE OF DURABLE BUILDING MATERIAL
23 WITH NO METAL INTERIOR SURFACE, BE SUITABLE IN SIZE TO ACCOMMODATE THE
24 DOG OR CAT AND TO ALLOW FOR THE RETENTION OF BODY HEAT, SHALL INCLUDE
25 A SOLID FLOOR RAISED AT LEAST FOUR INCHES OFF THE GROUND, SHALL HAVE
26 AN ENTRANCE COVERED BY A SUITABLE COVERING OR BE DESIGNED IN SUCH A WAY

AS AMENDED

AS TO PREVENT THE ELEMENTS FROM BLOWING DIRECTLY INTO THE SHELTER.

(b) A SUFFICIENT QUANTITY OF BEDDING MATERIAL SUITABLE TO PROVIDE INSULATION AND PROTECTION AGAINST COLD AND DAMPNES AND TO PROMOTE THE RETENTION OF BODY HEAT.

(c) A SUFFICIENT SUPPLY OF FOOD AND POTABLE WATER FOR DAILY CONSUMPTION.

(d) THE PROVISIONS OF SUBSECTION (b) SHALL BE SUSPENDED DURING THE MONTHS OF MAY THROUGH SEPTEMBER.

SECTION 64-25. TETHERED ANIMALS.

ANY CHAIN, ROPE OR OTHER RESTRAINING LINE USED TO TETHER ANY ANIMAL SHALL BE OF SUFFICIENT LENGTH TO PERMIT THE ANIMAL TO EXERCISE AND SHALL, IN NO EVENT, BE LESS THAN 15 FEET IN LENGTH WITH A SWIVEL AT BOTH ENDS.

ARTICLE V. PET SHOPS.

SECTION 64-26. LICENSES AND FEES.

NO PERSON SHALL OPERATE A PET SHOP WITHOUT POSSESSING A VALID PET SHOP LICENSE. THE ANNUAL LICENSE FEE FOR A PET SHOP SHALL BE AS ESTABLISHED BY CHAPTER 157, SECTION 157-24 OF THE HARFORD COUNTY CODE, AS AMENDED.

SECTION 64-27. PET SHOP STANDARDS.

ALL PET SHOPS, INCLUDING PET SHOPS RUN IN CONJUNCTION WITH ANY OTHER BUSINESS, SHALL, IN ADDITION TO ANY OTHER REQUIREMENT OF LAW, COMPLY WITH THE MINIMUM STANDARDS OF THIS ARTICLE. FAILURE TO MEET THESE STANDARDS SHALL BE GROUNDS FOR DENIAL OF OR REVOCATION OF THE PET SHOP LICENSE. THE MINIMUM PET SHOP STANDARDS ARE:

(a) ALL CAGES AND ENCLOSURES SHALL BE CONSTRUCTED OF A NONPOROUS

MATERIAL FOR EASE IN CLEANSING AND DISINFECTING. EACH CAGE MUST BE OF SUFFICIENT SIZE TO ALLOW THE ENCLOSED ANIMAL TO STAND, TURN AND STRETCH TO ITS FULL LENGTH AND HEIGHT WITHIN THE ENCLOSURE.

(b) IF A MESH OR SCREEN TYPE MATERIAL IS USED AS A SUSPENDED CAGE FLOOR, ONE HALF OF THE MESH SURFACE IS REQUIRED TO BE COVERED WITH A REMOVABLE, FLAT, NONPOROUS MATERIAL. THIS MATERIAL WILL BE REQUIRED TO BE IN PLACE, IN THE CAGE, WHILE OCCUPIED WITH THE EXCEPTION OF CLEANING AND DISINFECTING TIME.

(c) THERE SHALL BE SUFFICIENT CLEAN, DRY BEDDING TO MEET THE NEEDS OF EACH ANIMAL.

(d) ALL MAMMALS UNDER THREE MONTHS OF AGE SHALL BE FED AT LEAST THREE TIMES PER DAY.

(e) ALL FOOD SHALL BE SERVED IN A CLEAN CONTAINER SO MOUNTED THAT THE ANIMAL CANNOT READILY TIP IT OVER OR DEFECATE OR URINATE THEREIN.

(f) HOT WATER WITH A COMMERCIAL DISINFECTANT MUST BE KEPT AT A MINIMUM TEMPERATURE OF SEVENTY FIVE DEGREES FAHRENHEIT AND SHALL BE AVAILABLE FOR WASHING AND DISINFECTING OF FOOD DISHES, WATER DISHES AND CAGES.

(g) FRESH WATER SHALL BE AVAILABLE TO ALL ANIMALS AT ALL TIMES. ALL WATER CONTAINERS SHALL BE SO MOUNTED THAT THE ANIMAL CANNOT READILY TURN THEM OVER, AND SHOULD BE REMOVABLE FOR CLEANING.

(h) THE TEMPERATURE OF THE ANIMAL ENCLOSURES SHALL BE MAINTAINED AT A LEVEL SUITABLE FOR THE ANIMAL CONTAINED THEREIN.

(i) EVERY BIRD SHALL BE PLACED IN A CLEAN CAGE WITH SUFFICIENT ROOM TO ALLOW THE BIRD TO SIT UPON A PERCH. LARGE BIRDS SHALL BE PLACED IN SEPARATE CAGES FROM SMALLER BIRDS.

AS AMENDED

(j) ALL FISH SHALL BE CONTAINED IN A CLEAN, ALGAE-FREE TANK, IN WHICH THE WATER TEMPERATURE SHALL BE MAINTAINED AT A CONSTANT, HEALTHFUL LEVEL, WITH THE EXCEPTION OF THE SPECIES OF FISH THAT NEEDS ALGAE TO SURVIVE IN ITS ENVIRONMENT. DEAD FISH SHALL BE REMOVED FROM THE TANKS IMMEDIATELY.

(k) ALL ANIMALS SHALL BE FED, WATERED AND PROVIDED WITH CLEAN BEDDING EVERY DAY OF THE WEEK, INCLUDING SUNDAYS AND HOLIDAYS.

(l) THE DIRECTOR OF THE DEPARTMENT MAY SUSPEND, REVOKE OR REFUSE ANY LICENSE ISSUED UNDER THIS CHAPTER IF THE LICENSEE HAS SECURED SUCH LICENSE BY MISREPRESENTATIONS OR FAILED TO MAINTAIN THE STANDARDS REQUIRED BY THIS CHAPTER.

ARTICLE VI. PENALTY PROVISIONS.**SECTION 64-28. CRIMINAL PENALTY.**

ANY PERSON VIOLATING ANY PROVISION OF THIS CHAPTER SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND SHALL, UPON CONVICTION, BE FINED NOT LESS THAN TWENTY-FIVE DOLLARS NOR MORE THAN ONE THOUSAND DOLLARS, OR IMPRISONED FOR NOT MORE THAN ~~SIX MONTHS~~ NINETY CALENDAR DAYS, OR BOTH FINED AND IMPRISONED. EACH DAY DURING WHICH A VIOLATION OF THIS CHAPTER CONTINUES SHALL BE DEEMED A SEPARATE OFFENSE.

SECTION 64-29. CIVIL PENALTY.

THE ANIMAL CONTROL WARDEN OR THE SHERIFF OR HIS DESIGNEE SHALL SERVE A VIOLATION NOTICE TO ANY PERSON FOUND IN VIOLATION OF THIS CHAPTER. THE NOTICE SHALL IMPOSE UPON SUCH VIOLATOR A CIVIL MONETARY PENALTY OF TWENTY DOLLARS, WHICH SHALL BE PAID TO THE COUNTY WITHIN TEN WEEKDAYS IN FULL SATISFACTION OF THE ASSESSED PENALTY. THE PENALTY SHALL INCREASE TO FORTY DOLLARS FOR A SECOND OFFENSE AND SEVENTY-FIVE

AS AMENDED

1 DOLLARS FOR A THIRD OFFENSE.

2 **ARTICLE VI. GENERAL PROVISIONS.**

3 **SECTION 64-30. ANIMAL CONTROL WARDENS.**

4 A. THE ANIMAL CONTROL WARDENS SHALL BE EMPLOYED BY HARFORD
5 COUNTY AND SHALL BE RESPONSIBLE FOR THE ENFORCEMENT OF THIS CHAPTER AND
6 ANY RULES AND REGULATIONS PROMULGATED HEREUNDER.

7 B. THE ANIMAL CONTROL WARDENS SHALL BE SUBJECT TO THE
8 SUPERVISION OF THE DIRECTOR OF THE DEPARTMENT

9 Section 2. And Be It Further Enacted, that this Act shall take effect
10 sixty calendar days from the date it becomes law.

11 EFFECTIVE: December 21, 1990

AS AMENDED

BY THE COUNCIL

BILL NO. 90-76 (As Amended)

Read the third time.

Passed: LSD 90-31 (October 16, 1990)

Failed of Passage: _____

By Order

Doris Paulsen, Secretary

Sealed with the County Seal and presented to the County Executive for his approval this 19th day of October, 1990 at 3:00 o'clock P.M.

Doris Paulsen, Secretary

BY THE EXECUTIVE

COUNTY EXECUTIVE

Date 10-22-90

APPROVED:

BY THE COUNCIL

This Bill (No. 90-76 As Amended), having been approved by the Executive and returned to the Council, becomes law on October 22, 1990.

Doris Paulsen, Secretary

EFFECTIVE DATE: December 21, 1990